



ROUTINE

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DIST 22 APRIL 1976

1.5 (c)

1.

2.

DISCUSSED THE QUESTION OF MILITARY TRIALS FOR ABUSES OF
HUMAN RIGHTS BY ARMED FORCES OFFICERS AND PERSONNEL.

1.5 (c)

HEARD SOME CASES AND HEAR SEVERAL
OTHERS BEING PROCESSED BY SECRET MILITARY TRIBUNAL.

THE CASE OF ARMY LIEUTENANT

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3409-340-5

APPROVED FOR RELEASE
DATE: JUN 11 1999

JUN 11 1976

(220)

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[REDACTED] WHO WAS RECENTLY SENTENCED TO A
20-YEAR PRISON TERM. [REDACTED] HAD BEEN
ASSIGNED [REDACTED]
AND THAT HE HAD BEEN RESPONSIBLE FOR THE DISAPPEARANCE AND
DEATH OF TWO DETAINEES.

1.5 (c)

3. [REDACTED] A MILITARY
PROCESS AGAINST [REDACTED] OFFICER, [REDACTED]
[REDACTED] UNDER HIS COMMAND,
ARE CHARGED WITH THE DEATH OF SEVERAL PERSONS UNDER CUSTODY
AT [REDACTED] PRECINCT. [REDACTED] THE MILITARY PROSECUTOR
HAS REQUESTED A JUDGMENT OF 11 YEARS IN PRISON FOR [REDACTED] AND
TEN YEARS FOR EACH OF THE OTHER FIVE INVOLVED. [REDACTED]

COMMENT: SANTIAGO EMBASSY TELEGRAMS 3128 OF 7 APRIL AND
2929 OF 2 APRIL 1976 REPORTED THE COMMENTS OF A PROMINENT
CHILEAN ATTORNEY, WHO SAID THAT HE HAS ON SEVERAL OCCASIONS
DEFENDED MILITARY PERSONNEL AND CARABINEROS UNDERGOING
COURT-MARTIAL FOR ABUSES OF HUMAN RIGHTS, AND THAT HE WAS
CURRENTLY DEFENDING AN OFFICIAL AND FIVE CARABINEROS FOR
INDISCRIMINATE KILLING OF SEVEN DETAINEES ABOUT A YEAR AGO.
THIS WOULD SEEM TO BE THE SAME CASE.)

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4. [REDACTED] WHY SUCH CASES WERE NOT PUBLICIZED TO DEMONSTRATE THAT THE CHILEAN GOVERNMENT WAS SERIOUS ABOUT PROSECUTING VIOLATORS OF HUMAN RIGHTS NORMS.

[REDACTED] THAT WHILE TRADITIONALLY ALL MILITARY TRIAL PROCEDURES WERE HELD IN SECRET, [REDACTED]

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[REDACTED], HAD RECENTLY AGREED TO DISCUSS THE MATTER WITH PRESIDENT AUGUSTO PINOCHET TO SEE IF EXCEPTIONS COULD BE MADE.

5. [REDACTED]

6. A SECRET MILITARY TRIAL PROCESS BEGAN IN EARLY 1974 AGAINST [REDACTED] WHO WERE CHARGED WITH THE DEATH OF ABOUT SIX CIVILIANS ARRESTED IN NOVEMBER 1973 FOR DRUNKEN CONDUCT AND CURFEW VIOLATION. ACCORDING TO THE INVESTIGATION, ALL BUT ONE WERE JUVENILE DELINQUENTS. DURING THE BOOKING PROCESS, A FIGHT BROKE OUT BETWEEN THE DETAINEES AND [REDACTED] IN WHICH THE FORMER ALLEGEDLY BRAGGED OF THEIR PRIDE IN THEIR MARXIST BELIEFS. IN THE HEAT OF THE MOMENT, [REDACTED] TOOK THE GROUP TO

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[REDACTED]

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(classification)

[REDACTED]

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THE CENTRAL PART OF THE PRECINCT AND EXECUTED THEM. WHEN
WORD OF THE EXECUTION REACHED [REDACTED], AN
IMMEDIATE INVESTIGATION WAS ORDERED, THE RESULTS OF WHICH LED
TO THE INITIATION OF A MILITARY TRIAL, WHICH IS CURRENTLY
IN PROCESS.

1.5(c)

7. IN ANOTHER CASE IN EARLY 1974, [REDACTED]
[REDACTED] AND TWO SUBORDINATES WERE STRIPPED OF RANK,
SEPARATED FROM THE SERVICE AND JAILED FOR THE RAPE OF A
WOMAN WHILE ON PATROL DUTY. [REDACTED] COMMENT: [REDACTED]

[REDACTED] COMMENT: [REDACTED] GENERALLY DO NOT WANT TO
PRESS PROSECUTION IN THE WAKE OF WRONGDOINGS WHICH OCCUR IN
THE HEAT OF ACTION AND AS A RESULT OF IMPASSIONED BAD JUDGMENT.
WHEN BLATANT CASES OF MISUSE OR ABUSE OF POWER ARE BROUGHT TO
THE ATTENTION OF HIGHER COMMAND LEVELS, HOWEVER, PROSECUTIONS
DO RESULT.)

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8. [REDACTED]

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DENY IN TOTO

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